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To "Brad C. Deutsch" <GRLECNOA@fec.gov>  
cc  
bcc  
Subject Notice 2006-4: Exception for Grassroots Lobbying

Jan Robbins  
342 Rileyville Rd.  
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April 17, 2006

Brad C. Deutsch  
Assistant General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Dear Mr. Deutsch:

[INSERT NONPROFIT NAME] strongly supports the Petition for Rulemaking from AFL-CIO, Alliance for Justice, Chamber of Commerce of the United States, National Education Association, and OMB Watch (Notice 2006-4).

We urge the Federal Election Commission to immediately initiate this rulemaking to exempt grassroots lobbying communications from the election-law restrictions on broadcast advertising. It is essential that the Commission promulgate this exemption before Labor Day, when current law will otherwise silence legitimate broadcast issue advocacy across the country.

The Bipartisan Campaign Reform Act's "electioneering communications" restrictions on legitimate issue ads infringe on the central constitutional right of the people to bring their grievances before their elected representatives. These restrictions effectively shut down grassroots lobbying ads during the crucial closing weeks of the congressional term, when Congress is most likely to act on issues of vital importance.

The sponsors of BCRA and the groups that lobbied for it are all on record as supporting an exception for grassroots lobbying ads. Further, the Supreme Court recently affirmed the constitutional protections for grassroots lobbying in *Wisconsin Right to Life, Inc. v. Federal Election Commission*. The Court ruled that the application of the broadcast ban to legitimate grassroots lobbying could be challenged constitutionally, and it sent the case back to a lower court for more proceedings. In that case, the Court also reminded the Commission that it has the authority to enact rules to exempt this kind of advertising from the broadcast ban - authority the Commission to date has not exercised.

Regardless of the election calendar, nonprofits must be allowed to use television or radio to support their work and to broadcast their stands on public policy issues. The Commission should act now to exempt grassroots lobbying from the ban on broadcast advertising.

Sincerely,

Jan Robbins